

PATENT



#510  
4/16/99  
J. Muen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Peter J. Manso, Reg. No. 32,264

Date

March 30, 1999

In re Application of:

Eugenio A. Cefali

Serial No.:

08/962,421

Filing Date:

October 31, 1997

Group Art Unit:

1615

Examiners:

J. Spear

Title:

**INTERMEDIATE RELEASE NICOTINIC ACID  
COMPOSITIONS FOR TREATING HYPERLIPIDEMIA WHICH  
EXHIBIT AN IN VIVO STAIR-STEPPED ABSORPTION CURVE**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

AMENDMENT

This Amendment is responsive to the Office Action mailed on October 2, <sup>1998</sup>~~1999~~ in connection with the above-identified application for U.S. patent. Submitted herewith for consideration by the Examiner is a copy of Dr. Straughn's Declaration, in which the original was submitted in related U.S. patent application, Serial No. 08/814,974. Dr. Straughn's declaration presents evidence which supports "no inherency" and that the formulations described in the O'Neill U.S. Patent No.

04/16/1999  
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